

Notice of Allowability

Application No.

09/768,974

Examiner

Mark Blouin

Applicant(s)

CHANG, KEN

Art Unit

2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/26/04.
2. ☒ The allowed claim(s) is/are 1-68.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Detailed Action

Response to Amendment

- The reply filed on November 26, 2004 was applied to the following effect: Claims 1,9,13,20,23,25,32,35-37,39-41,47,49,50,53, and 54 have been amended and Claims 55-68 have been newly added.

Specification

1. All relevant objections have been withdrawn as being satisfied.

Claim Rejections - 35 USC § 112

2. All relevant rejections have been withdrawn as being satisfied.

Claim Rejections - 35 USC § 102

3. All relevant rejections have been withdrawn as being satisfied.

Claim Rejections - 35 USC § 103

4. All relevant rejections have been withdrawn as being satisfied.

Reasons for Allowance

5. Claims 1-68 are allowed.
6. The following is an examiner's statement of reasons for allowance:

This application is for an E-block positioner mechanism.

- **Claims 1,13,20,23,37,41,47,50, and 54** specify an E-block positioner, which requires:

"... a coil array that couples to the E-block and is positioned near the magnet assembly, the coil array being a generally D-shaped loop including a first segment and a second segment that are adjacent to one another, the first segment being positioned substantially perpendicular to the longitudinal axis of the E-block and adapted to interact with the magnetic field to move the E-block relative to the storage disk, and the second segment being curved where it intersects the longitudinal axis."

Adjacent being defined as: *always implies absence of anything of the same kind in between.*

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These features, in combination with the other features of Claims 1,13,20,23,37,41,47,50, and 54, are not anticipated by, nor made obvious over, the prior art of record.

- **Claim 57** specify an E-block positioner, which requires:

“... wherein (i) the electrically excited first portion interacts with the magnetic field to generate a first force and (ii) the electrically excited second portion interacts with the magnetic field to generate a second force...”

These features, in combination with the other features of Claim 57, are not anticipated by, nor made obvious over, the prior art of record.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is (703) 305-5629. The examiner can normally be reached M-F, 6:00 am – 3:30 pm.


If attempts to reach the examiner by telephone are unsuccessful the examiner’s supervisor, William Korzuch can be reached at (703) 305-6137. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314 for regular and After Final communications.

Any inquiry of general nature or relating to the status of application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

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Mark Blouin
Patent Examiner

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May 18, 2005

A. J. HEINZ
PRIMARY EXAMINER
GROUP ~~2500~~ A.U. 2653

